

IDNR Master Matrix Technical Advisory Committee  
Urbandale, Iowa  
MEETING SEVEN  
September 4, 2002

SUMMARY MINUTES

- 1.10 Welcome from Federal Mediation & Conciliation Service (FMCS)  
Introduction of Committee members, FMCS facilitators, and public attendees.
- 1.11 Committee members and FMCS facilitators present:
- Brent Halling, Iowa Department of Agriculture
  - Robin Pruisner, IDNR
  - Mary Gilchrist, University of Iowa (Uof I)
  - John Lawrence, Iowa State University (ISU)
  - Susan Heathcote, Iowa Environmental Council
  - Harlan Hanson, Iowa State Association of Counties
  - Calvin Rozenboom, Farm Bureau
  - Aaron Heley Lehman, Iowa Farmer's Union (alternate)
  - Kevin Vinchattle, Iowa Poultry Association (alternate)
  - John Korslund, Iowa Pork Producers Association (alternate)
  - Rosemary Hayes, FMCS
  - Danny Mabe, FMCS
  - Scot Beckenbaugh, FMCS
  - Tim Benton, Attorney General, advisor
  - Christine Spackman, IDNR, recorder
- 1.12 Public attendees:
- Michelle Meineke, Iowa Farm Bureau
  - Wendy Walker, Iowa Department of Economic Development
  - Theresa Kehoe, Iowa Senate Democratic Staff
  - Jasmine Bootman, Preston Engineering
  - Robert Mulqueen, Iowa State Association of Counties
  - Elizabeth Horton Plasket, Iowa Environmental Council
  - Nick Biggs, Tri Oak Foods
  - Eldon McAfee, Iowa Pork Producers Association/Bevington Law Firm
  - Lew Olson, Iowa House Republican Staff
  - Liz Wagstrom, National Pork Board
  - Jack Cameron, University of Iowa Hygienic Laboratory
  - Rick Kelley, University of Iowa Hygienic Laboratory
  - Mary Braun, Iowa House Democratic Staff
  - Erin Jordahl, Sierra Club
  - Karen Grimes, IDNR
  - Linda Kinman, Des Moines Water Works
  - Dorann Richtsmeier, Iowa Select Farms
  - David Vestal, Iowa State Association of Counties
  - Norm Moglestad, Iowa Dairy Producers Association
  - Mona Bond, AAI
  - Perry Beeman, Des Moines Register
  - Jerry Anderson, Midwest Environmental Justice Advocates
  - Amber Hurd, Iowa PIRG
  - Jo Hudson, Earth Care, Sierra Club
  - Jane Clark, Sierra Club

- Steve Veysey, Hawkeye Fly Fishing Association
- Joe Greving, Environment and Agriculture Together
- Stephanie Jobst, ICAN

1.13 There were no requests to use the 30-minute public participation time.

1.14 The Committee decided to spend a maximum of 15 minutes on the two parking lot issues at this point in the meeting before moving on to scoring. A discussion of the nontherapeutic antibiotic issue occurred. No agreement was reached.

A discussion of separation of poultry and swine facilities proceeded.

A ten-minute caucus occurred.

No action on the parking lot issues occurred.

1.15 Rosemary Hayes asked for comments on the minutes of the prior meeting. The following changes were made –Mary Braun is associated with the Iowa House Democratic Staff and Gail McCarthy, Iowa Health System. The Committee approved by consensus the minutes as amended.

A discussion occurred on an overall scoring mechanism for the matrix.

1.16 BREAK – 15 minutes at 10:30 AM

1.17 A Committee member proposed an overall-scoring scenario - that 3 categories with a minimum scoring threshold for each category be agreed to. A discussion of this issue proceeded. A proposal was made that the scoring continue with percentages for air, water and community impact set at the same time.

A five-minute caucus was held.

Further discussion on the proposal occurred.

1.18 LUNCH RECESS at 11:55 AM

1.19 The Committee continued to discuss options for proceeding including

- Continue to score with percentages in the air, water, and community columns
- Revert to using high, medium, or low in place of a numeric score

1.110 An extended caucus/Break occurred.

1.111 The meeting reconvened at 3:45 PM.

**CONSENSUS DECISION: With no committee member giving up or altering his/her right to agree or disagree on categories versus non-categories, the Committee reached consensus to make a good faith effort to move ahead by addressing the mitigating factors list line by line, first assigning a percentage to the categories air, water, community and then arriving at a point score. It is understood that some Committee members consider the percentage reflects overall score while others consider the percentage as reflecting risk mitigation.**

1.112 A discussion on scoring within one mitigating factor occurred – more emphasis/more points for the first separation distance interval versus last distance interval in graduated points for separation distance mitigation items.

1.113 The Committee proceeded to assign percentages and score the mitigating factors starting at the top of the list. (See attached Excel spreadsheet)

- The item for covered manure storage was altered to covered liquid manure storage.
- Change the language to Covered storage or enhanced of stockpiling and/or composting to include impermeable pad/covers.
- Change language of Aerate manure storage structure, if not otherwise required.

1.114 The session adjourned at 5:10 PM to be reconvened on a following day at 8:00 AM.

IDNR Master Matrix Technical Advisory Committee  
Urbandale, Iowa  
MEETING SEVEN  
September 5, 2002

SUMMARY MINUTES

1.20 Opening

1.21 Committee members and FMCS facilitators present:

- Brent Halling, Iowa Department of Agriculture
- Robin Pruisner, IDNR
- Mary Gilchrist, University of Iowa (U of I)
- John Lawrence, ISU
- Susan Heathcote, Iowa Environmental Council
- Harlan Hanson, Iowa State Association of Counties
- Calvin Rozenboom, Farm Bureau
- Aaron Heley Lehman, Iowa Farmer's Union (alternate)
- Kevin Vinchattle, Iowa Poultry Association (alternate)
- John Korslund, Iowa Pork Producers Association (alternate)
- Rosemary Hayes, FMCS
- Danny Mabe, FMCS
- Scot Beckenbaugh, FMCS
- Tim Benton, Attorney General, advisor
- Christine Spackman, IDNR, recorder

1.22 Public attendees:

- Michelle Meineke, Iowa Farm Bureau
- Wendy Walker, Iowa Department of Economic Development
- Elizabeth Horton Plasket, Iowa Environmental Council
- Rick Kelley, University of Iowa Hygienic Laboratory
- Jack Cameron, University of Iowa Hygienic Laboratory
- Dorann Richtsmeier, Iowa Select Farms
- Mary Braun, Iowa House Democratic Staff
- Theresa Kehoe, Iowa Senate Democratic Staff
- Robert Mulqueen, Iowa State Association of Counties
- Rick Robinson, Iowa Farm Bureau
- Jasmine Bootman, Preston Engineering
- Joe Greving, Environment and Agriculture Together
- Eldon McAfee, Iowa Pork Producers Association
- Lew Olson, Iowa House Republican Staff
- Linda Kinman, Des Moines Water Works
- Nick Biggs, Tri Oak Foods
- Jeff Schnell, Iowa Pork Producers Association
- Norm Moglestad, Iowa Dairy Producers Association
- Mike Wentzien, County Supervisors
- Liz Wagstrom, National Pork Board
- Paul Sundberg, National Pork Board
- Rachel Conrad, WHO
- Karen Grimes, IDNR
- Mona Bond, AAI

- 1.23 The Committee returned to assigning percentages and scores to the mitigating factors list starting with truck turn around. Some discussion occurred of what “demonstrated neighborhood support” means. There was a lack of agreement on whether to use support of 100 percent or something less of the individuals living within the two times setback distance.

A five-minute caucus was held.

The demonstrated neighborhood support mitigating factor was dropped from the list because of the lack of agreement on the percentage aspect of a definition.

- 1.24 Discussion of changing the wording for the homestead mitigating factor to applicant is the closest resident to the facility occurred. After discussion, this factor was placed on the parking lot issue list.

- 1.25 The mitigating factor for non-participation in pollution control tax exemption was changed by dropping “and donate to county taxing authorities amount equal to their savings” and then placed on the parking lot list.

- 1.26 For size of facility the two sizes were split into two separate mitigating factors: 1000 to 2000 AU and 2001 to 3000 AU.

- 1.27 Break/Caucus – 25 minutes at 9:50 AM

- 1.28 The Committee continued to apply percentages and score the mitigating factors. A discussion occurred of scoring generally the factors related to operation/manure management plan. Some concerns were voiced by some members over the flexibility needed in this area and the lack of enforceability.

On the manure application by injection or incorporation the Committee agreed to add “subject to DNR approval of waiver.”

- 1.29 Calvin Rozenboom, the Farm Bureau Committee member, distributed an NRCS Field Office Technical Guide (Exhibit 63) as part of a discussion of conservation practices.

- 1.210 The Committee decided that any variation from matrix commitments to any factors related to operation/manure management plan must receive DNR prior approval. Details to be worked out in the rulemaking process.

- 1.211 Change mitigating factor for residences, et. al., by adding 500/200 feet additional to set back distance over current requirements for manure application.

- 1.211 LUNCH recess at 12:02 PM

- 1.212 The Committee reconvened at 1:23 PM

The Committee continued to apply percentages and score the mitigating factors with the following changes

- High quality water resource was split into two factors – one with 200 additional feet from the water resource and one with 400 additional feet from the water resource for manure application.
- Note for the record on PHYTASE Feed Additive that one committee member felt it was unbelievable that the Committee could score this factor so low (5 points).
- Distance between facility and application fields was dropped.
- Sell or utilize manure as an energy source was split into two factors – one with partial usage and one with full usage.
- On the manure injection factor change the wording to “liquid or dry manure application by injection or incorporation using MMP or 200A (subject to DNR approved)” and thus the

factor for bulk dry manure incorporated as conservation plans allowed under 200A was dropped.

- Owner of livestock listed on manure management plan was dropped.
- Factor for added economic value, et. al., was modified by changing “&” to “or” and adding “commercial” to property tax base. Note – needs further definition through the rulemaking process.
- Factor for feeding/watering systems was moved under construction/site.
- Added “DNR recognized 3<sup>rd</sup> party approved” to “adoption and implementation of Environmental Management System”

1.213 BREAK – 15 minutes at 2:40 PM

1.214 The Committee agreed to change the wording in one parking lot issue from sub-therapeutic to non-therapeutic.

1.215 The Committee agreed to move factors for homestead & pollution property back on to list.

1.216 The Committee agreed that there were strong feelings on both sides of the antibiotic issue and it would remain on the tabled issues list.

1.217 The Committee discussed again the separation between poultry and swine facilities. The Committee agree to address the issue by combining it with the factor for distance to nearest facility with MMP and adding language “to reduce the animal concentration in a certain area” and “swine to swine, poultry to poultry, poultry to swine”

1.218 The Committee agreed to put the “demonstrated neighborhood support within a radius which equals two times the set back distance” (consensus was not reached due to an inability of the committee to agree on a percentage of neighborhood support, some members feeling strongly that only 100% was acceptable; and other members feeling that 100% was an unreasonable possibility) back onto the tabled issues list.

The Committee requested that the record show that negotiations ended due to time constraints.

The Committee discussed language for its recommendation to the DNR.

A caucus was held for two groups to draft language for their separate statements.

A Committee member for each group read their respective statements.

Statement for Calvin Rozenboom, Farm Bureau; John Korslund and Joe Laffoon on behalf of the Iowa Cattlemen's Association, Iowa Dairy Products Association, Iowa Pork Producers Association, Iowa Poultry Association and Iowa Turkey Federation; Brent Halling, Iowa Department of Agriculture and Land Stewardship; and John Lawrence, Iowa State University

The percentages listed for air, water, and community represent our measure of the extent to which the mitigating factors listed address environmental and community impacts as set out in SF 2293 and are not to be used to score items on a categorized basis. We support a single score, single matrix as outlined in SF 2293.

Calvin Rozenboom  
Farm Bureau

John Korslund and Joe Laffoon  
Iowa Cattlemen's Association, Iowa Dairy Products Association  
Iowa Pork Producers Association, Iowa Poultry Association  
Iowa Turkey Federation

Brent Halling  
Iowa Department of Agriculture and Land Stewardship

John Lawrence  
Iowa State University

Statement for Susan Heathcote, Iowa Environmental Council; Harlan Hanson, Iowa State Association of Counties; Aaron Heley Lehman, Iowa Farmers Union, and Mary Gilchrist, University of Iowa

The undersigned committee members feel very strongly that the matrix needs to be comprehensive to assure that all three risk areas will be addressed. In order for the master matrix to be a workable and fair system for County Supervisors to use in the evaluation of new permit applications, the three risk categories must be proportionally represented in the scoring process.

Proportionality requires minimum threshold scores in the three risk categories (air quality, water quality, and community concerns) that the committee has worked with throughout this process along with an overall minimum threshold score for the matrix as a whole.

We believe that the percentages in the subcategories agreed to by the committee in the scoring process should be used to calculate point values within the three risk categories and to determine the minimum threshold scores needed within each risk category.

Susan Heathcote and Elizabeth Plasket  
Iowa Environmental Council

Aaron Heley Lehman and John Whitaker  
Iowa Farmers Union

Harlan Hansen and James Gustafson  
Iowa State Association of Counties

Mary Gilchrist and Jack Cameron  
University of Iowa

**CONSENSUS DECISION: The mitigating factor list is the Committee recommendation with the two explanatory statements. The two factors upon which the committee could not reach consensus are: (A) use of non-therapeutic antibiotics, and (B) demonstrated community support within a radius equal to double the minimum separation distances to neighboring residences.**

With respect to factor A, while there was strong support for its inclusion there was also strong opposition. The committee was unable to reach consensus on inclusion. With respect to factor B, there was general committee support for its inclusion, however some members felt strongly that it should be included only if the demonstrated support represented 100% of those impacted and that lesser demonstrations of support could be a deterrent to the community. Others felt strongly that something less than 100% support would still have a positive mitigation impact on the community. Like the non-therapeutic antibiotic factor, the committee was unable to resolve their differences on this issue and consensus was not reached.

Threshold scores were discussed by the Committee but not adequately to reach a decision due to time constraints.

1.219 Meeting adjourned at 5:00 PM.

**CONSENSUS DECISION SUMMARY**

With no committee member giving up or altering his/her right to agree or disagree on categories versus non-categories, the Committee reached consensus to make a good faith effort to move ahead by addressing the mitigating factors list line by line, first assigning a percentage to the categories air, water, community and then arriving at a point score. It is understood that some Committee members consider the percentage reflects overall score while others consider the percentage as reflecting risk mitigation.

The mitigating factor list is the Committee recommendation with the two explanatory statements. The two factors upon which the committee could not reach consensus are: (A) use of non-therapeutic antibiotics, and (B) demonstrated community support within a radius equal to double the minimum separation distances to neighboring residences.

With respect to factor A, while there was strong support for its inclusion there was also strong opposition. The committee was unable to reach consensus on inclusion. With respect to factor B, there was general committee support for its inclusion, however some members felt strongly that it should be included only if the demonstrated support represented 100% of those impacted and that lesser demonstrations of support could be a deterrent to the community. Others felt strongly that something less than 100% support would still have a positive mitigation impact on the community. Like the non-therapeutic antibiotic factor, the committee was unable to resolve their differences on this issue and consensus was not reached.

Threshold scores were discussed by the Committee but not adequately to reach a decision due to time constraints.

**ATTACHMENT – Master Matrix Technical Advisory Committee Recommendations**  
**ATTACHMENT –Mitigating Factors List - September 5, 2002**

Exhibit 63 –NRCS Field Office Technical Guide, introduced by Calvin Rozenboom, Farm Bureau committee member